

REMARKS

Claims 1-23 are pending in the present patent application. Claims 1-23 stand rejected.

This application continues to include claims 1-23.

Claims 1-10, 12, 17, 18 and 20-23 were rejected under 35 U.S.C. §102(e) as being anticipated by Yamazaki, U.S. Patent No. 6,785,727 B1. Applicants respectfully request reconsideration of the rejection of claims 1-10, 12, 17, 18 and 20-23 in view of the following.

As set forth in Applicant's specification, at page 1, lines 11-17, a "host-based paradigm separates the image processing (fonts, images, etc.) from the physical printing mechanism such that the intensive raster image processing is performed on the host computer, leaving the printer's processor free to perform the task of physically placing the pixels on the media. The processing power required to physically place the pixels is significantly smaller than that required of printers that also interpret data streams." One such data stream that would require interpreting is a page description language (PDL) data stream. As further stated at page 3, lines 11-17, "Printer 10 includes a host-based printer 12 and host-based networking hardware 14. [] To facilitate printing, the print driver, i.e., the application, [running on each workstation, i.e., host (see Fig. 3)] must be able to create host-based networking printer specific data and deliver it in order and unaltered to the host-based networking printer." As further stated at page 6, lines 12-21, "a workstation can transmit a data frame into the network such that an initial portion of the data frame includes a unique, identifying data sequence that indicates the data in the next portion of the data frame is in a format that can be recognized as print data and passed on to printer 12 by host-based networking hardware 14. The media access hardware or other hardware within host-based networking hardware 14 can receive the initial portion of the data frame and determine whether it includes the unique, identifying data sequence. If so, host-based networking hardware 14 reads, processes and

sends the next portion of the data frame to printer 12. If not, host-based networking hardware 14 ignores the next portion of the data frame and discards the data frame without performing any further processing.”

In contrast, Yamazaki provides an image processor making it possible to reserve a printer even if no job is generated and to be shared by a plurality of users in order to preferentially and securely process a job of a reserver in a reserved time zone, which accepts a reservation of a job while no job is received (Abstract). In Fig. 1, symbol 1000 denotes a printer which inputs and stores printing information (such as character codes) and from information or a macro instruction supplied from a host computer (refer to Fig. 2), and is connected to a local area network (LAN) through a network board 1017. Symbol 1001 denotes a printer control unit for controlling the whole of the printer 1000 and *analyzing character information* and the like supplied from the host computer. (Column 3, line 60-column 4, line 5). An application 1101 running on host computer 2000 of host 3000 provides a graphic user interface for a user to generate video data meeting a purpose of the user. The printer driver 1102 converts the video data generated by the application 1101 into page description language (PDL) data which can be printed by the image processor 1000. (Column 15, lines 6-16). Referring to Fig. 9, printer 1000 includes a PDL analyzer 903 that develops the printing information (PDL) to be actually output stored in the receiving buffer 902 into image data that can be printed. (Column 13, lines 50-52). The job packet generator 1107 of host 3000 (see Fig. 11) connects packet head information with output data (PDL) and generates a job packet serving as an output data packet. PDL data is directly set to the data part of the job packet. (Column 17, lines 58-61). Thus, a reserved print job is generated in

the form of a packet and transmitted from the host computer 2000 to the image processor 1000 through the logic channel controller 1106. (Column 18, lines 16-19).

Thus, while Yamazaki uses a host in a network printing environment, the system disclosed in Yamazaki does not satisfy Applicants' definition of a host-based paradigm (see Applicants' specification at page 1, lines 11-17, since the printer in Yamazaki must perform resource intensive tasks, including the processing of page description language (PDL) data packets received from host 3000. Accordingly, the system disclosed in Yamazaki is not a host-based system, printer 1000 is not a host-based printer, and network board 1017 is not host-based networking hardware, within the context of the present invention.

Claim 1 is directed to a method of sharing a printer between a plurality of users on a computer network. Claim 1 recites, in part, allowing only one of the users to own the data channel at any single point in time. The Examiner asserts that Yamazaki discloses allowing only one of the users to own the data channel at any single point in time, relying upon Yamazaki at column 8, lines 28-34, which states, "The start time of a reserved time zone is input to 601 and 602. The end time of the reserved time zone is input to 603 and 604. By pressing the "OK" button of 605, the reserved time is transmitted to an image processor. The reserved time is stored in the timetable 501 in Fig. 5. When the reserved time set here is already reserved by other user, it is necessary to reset a reserved time."

For reasons set forth below, however, the reservation scheme of Yamazaki differs significantly from data channel ownership, as set forth in Applicants' claims. For example, as further stated in Yamazaki at column 11, line 57-column 12, line 11, "to execute a job of a party other than a reserver, the image processor [the printer] 1000 generates job acceptance information and outputs the information to the host computer 2000 [of host 3000]

corresponding to a user designating the job. The host computer 2000 of a reserver receives reserved-time processing information from the image processor 1000, generates the dialog shown in FIG. 20 in accordance with the reserved-time processing information, displays the dialog on the display unit of the screen of the CRT 10 of a reserver's host computer (at the time of remote setting), and communicates that a job of other user is processed. Moreover, when reservation setting is executed on the operation panel 1012 of the image processor [i.e., printer] 1000, the same message is displayed on the operation panel 1012 of the image processor 1000 (at the time of local setting from the operation panel). In this case, a host computer of a job generating party who is a non-reserver receives job acceptance information from the image processor 1000, generates the dialog shown in FIG. 21, displays the dialog on the CRT 10 of the job generating party who is a non-reserver, and notifies the user that a job is accepted and how the job is divided in detail." (Emphasis added).

As set forth above, in Yamazaki, although a data channel may be reserved, which the Examiner has equated to owning a data channel, a non-reserver may also have a job processed, which is not consistent with data channel ownership by only one user, within the context of the present patent application. Thus, Yamazaki does not disclose, teach, or suggest allowing only one of the users to own the data channel at *any single point in time*, as recited in claim 1.

Moreover, claim 1 also recites, in part, instructing the host-based networking hardware to accept information on the data channel only from the user that owns the data channel. For this aspect of claim 1, the Examiner relies on Yamazaki at column 10, lines 34-36, which states, "When it is judged that the job is a job of a party other than the reserver, the CPU 12 [of printer 1000] rejects the acceptance of the job in S307." However, as set forth above,

Yamazaki at column 11, line 53-column 12, line 11, discloses facilitating execution of “a job of a party other than a reserver”, i.e., of a non-reserver, in contrast to instructing the host-based networking hardware coupled to the printer to accept information on the data channel only from the user that owns the data channel, as recited in claim 1. (Emphasis added).

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Yamazaki does not disclose, teach, or suggest the subject matter of claim 1. Claim 1 is thus believed allowable in its present form.

Claims 2-10, 12 are believed allowable due to their dependence, directly or indirectly, on otherwise allowable base claim 1. In addition, claims 2-10, 12 further and patentably define the invention over Yamazaki.

For example, claim 2 recites, “The method of claim 1, wherein the host-based networking hardware disregards all said information received on the data channel from any of the users that do not own the data channel.” In contrast, Yamazaki at column 11, line 53-column 12, line 11, discloses facilitating execution of “a job of a party other than a reserver”, i.e., a non-reserver’s job being processed by printer 1000. (Emphasis added). Accordingly, Yamazaki does not disclose, teach or suggest, wherein the host-based networking hardware disregards all said information received on the data channel from any of the users that do not own the data channel, as recited in claim 2. Claim 2 is thus believed allowable in its own right.

Claim 5 is directed to the method of claim 4, wherein the status response indicates the user that owns the data channel. The Examiner asserts that Yamazaki discloses in Fig. 16 an “Owner”. However, the “Owner” designation in Fig. 16 is with reference to the Owner of the document, rather than any perceived ownership of a data channel. Accordingly, claim 5 is believed allowable in its own right.

Claim 8 is directed to the method of claim 6, wherein a user that does not own the data channel can acquire the data channel by sending a connect signal on the command channel to the host-based networking hardware. In rejecting claim 8, the Examiner relies on Yamazaki, column 8, lines 28-34. However, the cited passage is directed to the reservation protocol, wherein if a desired reserved time is already taken, then it is necessary to reset the reserved time. The cited passage does not disclose, teach, or suggest the subject matter of claim 8. Accordingly, claim 8 is believed allowable in its own right.

Claim 12 is directed to the method of claim 10, wherein the communication frame has a frame number and a sequence number, the host-based networking hardware discarding any said communication frame that does not have an expected said sequence number. In rejecting claim 12, the Examiner relies on Yamazaki column 13, lines 43-46; column 13, lines 66- column 14, line 6; and column 22, lines 57-59. However, the cited passages reference “sequence” as a job number (see Fig. 17), which are assigned by the job preprocessor 1110, within printer 1000 (Yamazaki column 22, lines 47-49; Fig. 11), and the PDL translator 1112 of printer 1000 analyzes the job (Yamazaki column 22, lines 54-59; Fig. 11) and any ignoring of commands is by PDL translator 1112 of printer 1000, with no reference to a “host-based networking hardware discarding any said communication frame that does not have an expected said sequence number.” (Emphasis added). Accordingly, claim 12 is believed allowable in its own right.

Claim 17 is directed to a method of sharing a network appliance between a plurality of users on a computer network. Claim 17 recites, in part, allowing only one of the users to own the data channel at any single point in time; and instructing the network appliance to accept information on the data channel only from the user that owns the data channel. For

substantially the same reasons as set forth above with respect to claim 1, Yamazaki does not disclose, teach, or suggest allowing only one of the users to own the data channel at any single point in time; and instructing the network appliance to accept information on the data channel only from the user that *owns* the data channel, as recited in claim 17.

Claim 18 is directed to a method of sharing a network appliance between a plurality of users on a computer network. Claim 18 recites, in part, receiving the data frame with said network appliance; determining whether a first portion of the data frame includes a unique, predetermined sequence of data; reading and processing a second portion of the data frame if the first portion of the data frame includes the predetermined sequence of data; and discarding the data frame without reading and processing the second portion of the data frame if the first portion of the data frame does not include the predetermined sequence of data. Claim 18 is believed allowable for substantially the same reasons set forth above with respect to claim 12.

Claims 20-23 are believed allowable due to their dependence from otherwise allowable base claim 18. In addition, claims 20-23 further and patentably define the invention over Yamazaki.

Accordingly, for at least the reasons set forth above, Applicants believe that claims 1-10, 12, 17, 18 and 20-23 are in condition for allowance in their present form, and thus respectfully request that the rejection of claims 1-10, 12, 17, 18, and 20-23 under 35 U.S.C. 102(e) be withdrawn.

Claims 11 and 13-16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yamazaki. Applicants respectfully request reconsideration of the rejection of claims 11 and 13-16 in view of the following.

Claims 11 and 13-16 are believed allowable due to their dependence, directly or indirectly, on otherwise allowable base claim 1 and/or any intervening claim. In addition, claims 11 and 13-16 further and patentably define the invention over Yamazaki.

For example, claim 13 is directed to the method of claim 12, wherein, in response to receiving said communication frame that does not have said expected sequence number, the host-based networking hardware sends an acknowledgement including the frame number of a last successfully received communication frame to the user that owns the data channel.

(Emphasis added). The Examiner does not address how the portion of claim 13 underlined above is disclosed, taught or suggested by Yamazaki. Accordingly, it is respectfully request that the Examiner do so, or withdraw the rejection of claim 13.

In rejecting claims 14-16, the Examiner references Williams, et al. as disclosing the general concepts of timeouts, but does not rely on Williams, et al. in combination with Yamazaki in the rejection of claims 14-16 under 35 U.S.C. §103(a). Yamazaki does not expressly disclose the use of timeouts, as acknowledged by the Examiner, nor does Yamazaki make any implicit disclosure of such. Thus, the rejection of claims 14-16 appears to be based on impermissible hindsight reconstruction of the rejected claims, using Applicants' claims as a template, and thus the Examiner's burden has not been met, and it is respectfully requested that their rejection be withdrawn.

Accordingly, for at least the reasons set forth above, Applicants believe that claims 11 and 13-16 are in condition for allowance in their present form, and thus respectfully request that the rejection of claims 11 and 13-16 under 35 U.S.C. 103(a) be withdrawn.

For the foregoing reasons, Applicants submit that the cited reference does not teach, disclose or suggest the subject matter of the pending claims. The pending claims are therefore

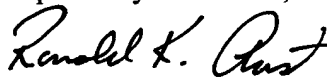


in condition for allowance, and Applicants respectfully request withdrawal of all rejections and allowance of the claims.

In the event Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefor and authorize that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (317) 894-0801.

Respectfully submitted,



Ronald K. Aust  
Registration No. 36,735  
Attorney for Applicants

RKA/ts

TAYLOR & AUST, P.C.  
12029 E. Washington Street  
Indianapolis, IN 46229  
Telephone: 317-894-0801  
Facsimile: 317-894-0803

Enc.: Return postcard

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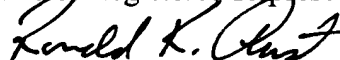
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Ronald K. Aust, Reg. No. 36,735

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Signature

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July 15, 2005

Date